IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

TEST. SUIT NO. 41 OF 1992

IN

TEST. PETITION NO. 479 OF 1991

Dominic Elias Fonseca .. .. Deceased

Mrs. Lena Mary Martin .. .. Plaintiff/ Petitioner

Versus

Mr. Denis Lawrence Menezes & ors... .. Defendants/Caveators

Shri. V.M. Bharadwaj for the Defendants.

Shri. V.U. Sheth i/b Mr. R.A. Fernandes for the Plaintiff / Petitioners.

CORAM : S.K. SHAH, J.

DATED : 19.8.2004.

P.C.-

1. As per the consent terms the suit was disposed of by order dated 11th December, 2003 and the Court Receiver has also been discharged.

2. The learned Counsel on both the sides submit that during the receivership the Court Receiver has received the rent from the tenants of the premises and that is to be paid to the Petitioner. Therefore, the direction is necessary to the Court Receiver to release that amount of rent received

from the tenants of the premises. The learned Counsel for the defendants has no objection.

3. It is directed that the Court Receiver shall release whatever rent he has received from the tenants of the premises in favour of the Petitioner forthwith.

4. Parties to act upon an ordinary copy of this order duly authenticated by the Sheristedar / Associate of this Court.

[S.K.SHAH, J.]